

# EXHIBIT A



## Notice of Service of Process

null / ALL  
Transmittal Number: 30418394  
Date Processed: 12/10/2024

**Primary Contact:** Kristina Cates  
Laboratory Corporation of America Holdings  
531 S Spring St  
Burlington, NC 27215-5866

**Electronic copy provided to:** Anetta Outlaw  
Heather Long  
Mary Beth Maines

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**Entity:** Laboratory Corporation of America  
Entity ID Number 0035873

**Entity Served:** Laboratory Corporation Of America

**Title of Action:** Drew Barile vs. Laboratory Corporation Of America

**Matter Name/ID:** Drew Barile vs. LabCorp (15110513)

**Document(s) Type:** Summons/Complaint

**Nature of Action:** Discrimination

**Court/Agency:** Workers' Compensation Appeals Board, CA

**Case/Reference No:** 24STCV32110

**Jurisdiction Served:** California

**Date Served on CSC:** 12/10/2024

**Answer or Appearance Due:** 30 Days

**Originally Served On:** CSC

**How Served:** Personal Service

**Sender Information:** Law Office Of Michael Freiman  
310-917-1022

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | [sop@cscglobal.com](mailto:sop@cscglobal.com)

SUM-100

# SUMMONS (CITACION JUDICIAL)

## NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

LABORATORY CORPORATION OF AMERICA; and DOES 1 through 20, inclusive,

## YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

DREW BARILE

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
12/05/2024 6:42 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By A. Munoz, Deputy Clerk

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

**AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): Los Angeles Superior Court  
111 North Hill Street Los Angeles CA 90012

CASE NUMBER:  
(Número del Caso):

24STCV32110

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
Michael Freiman, 100 Wilshire Blvd. Ste 700, Santa Monica, CA 90401 310-917-1022

DATE:

(Fecha) 12/05/2024

Clerk, by

(Secretario)

David W. Slayton, Executive Officer/Clerk of Court

, Deputy

A. Munoz (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]



**NOTICE TO THE PERSON SERVED:** You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☒ on behalf of (specify): LABORATORY CORPORATION OF AMERICA  
under: ☒ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)  
☐ other (specify):
4. ☐ by personal delivery on (date):

1 Michael Freiman, Esq. (SBN 280716)  
2 Law Office of Michael Freiman  
3 100 Wilshire Blvd., Ste. 700  
4 Santa Monica, CA 90401  
(310) 917-1022  
mike@employlegal.com

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
12/05/2024 6:42 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By A. Munoz, Deputy Clerk

5 Attorney for Plaintiff DREW BARILE

6 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**

7 **COUNTY OF LOS ANGELES**

8 DREW BARILE,

9 Plaintiff,

10 v.

11 LABORATORY CORPORATION OF  
12 AMERICA; and DOES 1 through 20,  
13 inclusive,

14 Defendants.

CASE NO. **24STCV32110**

**COMPLAINT FOR:**

1. Discrimination in Violation of FEHA
2. Failure to Prevent Discrimination (FEHA)
3. Retaliation in Violation of FEHA
4. Harassment in Violation of FEHA
5. Failure to Prevent Harassment in Violation of FEHA
6. Labor Code s. 98.6
7. Labor Code s. 1102.5
8. Labor Code s. 6310
9. Wrongful Termination in Violation of Public Policy

**DEMAND FOR JURY TRIAL**

15 Plaintiff DREW BARILE for its Complaint against Defendants LABORATORY  
16 CORPORATION OF AMERICA and DOES 1 through 20, inclusive, hereby complains and alleges  
17 as follows:  
18

19 **PARTIES, JURISDICTION AND VENUE**

20 1. Plaintiff Drew Barile was at all times relevant to the matters alleged in this complaint  
21 an individual with its residence in California.

22 2. Plaintiff is informed and believes and thereon alleges that the fictitiously-named  
23 Defendants sued herein as Does 1 through 20 inclusive, and each of them, are in some manner  
24

25 COMPLAINT FOR DAMAGES

1 responsible for the occurrences, acts, and omissions alleged herein and that Plaintiff's damages were  
2 proximately caused by their conduct. The true names and capacities of such fictitiously-named Doe  
3 Defendants, whether individual, corporate, partnership, associate or otherwise, are presently  
4 unknown to Plaintiff, and Plaintiff will seek leave of the Court to amend this Complaint to assert the  
5 true names and capacities of such fictitiously-named Defendants when the same have been  
6 ascertained. For convenience, each reference to the named Defendant herein shall also refer to Does  
7 1 through 20, inclusive.  
8

9         3. Plaintiff is informed and believes and thereon alleges that in committing certain acts  
10 herein as alleged, some or all of the Defendants herein named were acting as the agents, joint ventures,  
11 partners, representatives, subsidiaries, affiliates and/or employees of some or all of the other  
12 Defendants, and that some or all of the conduct of such Defendants, as complained of herein, was  
13 within the course and scope of such relationship.  
14

15         4. Pursuant to Article VI, Section 10 of the California Constitution, subject matter  
16 jurisdiction is proper in the Superior Court of California, County of Los Angeles.  
17

18         5. Pursuant to Section 395 of the California Code of Civil Procedure, venue is proper in  
19 the Superior Court of California for the County of Los Angeles because the Defendant conducted  
20 business in Los Angeles County.  
21

### 22 **FACTUAL BACKGROUND**

23         6. Defendants subjected Plaintiff to discrimination/harassment/retaliation on the bases of  
24 race, color, ancestry, religion, sexual orientation, association with a member of a protected class,  
25 gender, sexual harassment, opposition to discrimination/harassment/retaliation, opposition/refusal to  
26 perform/disclosure of violation of the law, opposition/refusal to perform/disclosure of unsafe work  
27  
28

COMPLAINT FOR DAMAGES

1 environment, opposition/refusal to perform/disclosure of Labor Code violations, assertion of rights  
2 under the Labor Code.

3 7. Defendant subjected Plaintiff to slurs, tropes, stereotypes and offensive comments on  
4 the bases of Plaintiff's protected categories and activities.

5 8. Defendant further subjected Plaintiff to unwelcome sexual advances, propositions,  
6 sexual comments, physical assault, comments regarding discriminatory hiring practices, gender  
7 stereotyping, racial stereotyping, religious stereotyping, telling Plaintiff he didn't have the right to  
8 complain because he is a "privileged white male," threats to alter Plaintiff's time card and reduce his  
9 pay, alteration of Plaintiff's time card and reduction of Plaintiff's pay, failure to allow breaks, inferior  
10 terms and conditions of employment, false claims, suspension, termination and constructive  
11 termination.  
12

13  
14 9. Defendants' actions constitute disparate impact and disparate treatment.  
15 discrimination.

16 10. Plaintiff has received a Right to Sue letter from the California Civil Rights  
17 Department and has thus exhausted all necessary administrative remedies  
18

19 **FIRST CAUSE OF ACTION**  
20 **(Discrimination in Violation of FEHA)**  
21 **(Against All Defendants)**

22 11. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as  
23 though fully set forth herein.

24 12. Defendants' actions constitute discrimination in violation of the Fair Employment and  
25 Housing Act ("FEHA").  
26  
27  
28

COMPLAINT FOR DAMAGES

1           13. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
2 and continues to suffer a loss in earnings and other employment benefits according to proof at time  
3 of trial.

4           14. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
5 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
6 to proof at trial.  
7

8           15. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
9 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.

10                                   **SECOND CAUSE OF ACTION**  
11                                   **(Failure to Prevent Discrimination in Violation of FEHA)**  
12                                   **(Against All Defendants)**

13           16. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as  
14 though fully set forth herein.

15           17. Under FEHA, it is unlawful for an employer to fail to take all reasonable steps to  
16 prevent discrimination.  
17

18           18. Defendants had knowledge and/or reasonable notice of the discrimination that took  
19 place against Plaintiff and failed to prevent such.

20           19. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
21 and continues to suffer a loss in earnings and other employment benefits according to proof at time  
22 of trial.  
23

24           20. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
25 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
26 to proof at trial.  
27  
28

COMPLAINT FOR DAMAGES



1           21. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
2 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.

3  
4                           **THIRD CAUSE OF ACTION**  
5                           **(Retaliation in Violation of FEHA)**  
6                           **(Against All Defendants)**

7           22. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as  
8 though fully set forth herein.

9           23. Defendants' actions constitute retaliation in violation of the Fair Employment and  
10 Housing Act ("FEHA").

11           24. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
12 and continues to suffer a loss in earnings and other employment benefits according to proof at time  
13 of trial.

14           25. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
15 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
16 to proof at trial.

17           26. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
18 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.

19  
20                           **FOURTH CAUSE OF ACTION**  
21                           **(Harassment in Violation of FEHA)**  
22                           **(Against All Defendants)**

23           27. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as  
24 though fully set forth herein.

25           28. Defendants' actions constitute harassment in violation of FEHA.



1           29. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
2 and continues to suffer a loss in earnings and other employment benefits according to proof at time  
3 of trial.

4           30. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
5 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
6 to proof at trial.

7  
8           31. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
9 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.

10                                   **FIFTH CAUSE OF ACTION**  
11                                   **(Failure to Prevent Harassment in Violation of FEHA)**  
12                                   **(Against All Defendants)**

13           32. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as  
14 though fully set forth herein.

15           33. Defendants' actions constitute failure to prevent harassment in violation of FEHA.

16           34. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
17 and continues to suffer a loss in earnings and other employment benefits according to proof at time  
18 of trial.

19  
20           35. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
21 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
22 to proof at trial.

23  
24           36. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
25 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.

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COMPLAINT FOR DAMAGES

**SIXTH CAUSE OF ACTION**  
**(Retaliation in Violation of Labor Code s. 98.6)**  
**(Against All Defendants)**

37. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as though fully set forth herein.

38. Defendants' actions constitute retaliation in violation of Labor Code s. 98.6.

39. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered and continues to suffer a loss in earnings and other employment benefits according to proof at time of trial.

40. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered humiliation, emotional distress and mental pain and anguish all to its damage in an amount according to proof at trial.

41. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.

**SEVENTH CAUSE OF ACTION**  
**(Retaliation in Violation of Labor Code s. 1102.5)**  
**(Against All Defendants)**

42. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as though fully set forth herein.

43. Defendants' actions constitute retaliation in violation of Labor Code s. 1102.5.

44. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered and continues to suffer a loss in earnings and other employment benefits according to proof at time of trial.

COMPLAINT FOR DAMAGES

1 45. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
2 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
3 to proof at trial.

4 46. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
5 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.  
6

7 **EIGHTH CAUSE OF ACTION**  
8 **(Retaliation in Violation of Labor Code s. 6310)**  
9 **(Against All Defendants)**

10 47. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as  
11 though fully set forth herein.

12 48. Defendants' actions constitute retaliation in violation of Labor Code s. 6310.

13 49. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
14 and continues to suffer a loss in earnings and other employment benefits according to proof at time  
15 of trial.

16 50. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
17 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
18 to proof at trial.

19 51. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
20 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.  
21

22 **NINTH CAUSE OF ACTION**  
23 **(Wrongful Termination in Violation of Public Policy)**  
24 **(Against All Defendants)**

25 52. Plaintiff re-alleges and incorporates by reference all paragraphs of this Complaint as  
26 though fully set forth herein.

27 53. Defendants' actions constitute wrongful termination in violation of public policy.  
28

COMPLAINT FOR DAMAGES

1           54. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
2 and continues to suffer a loss in earnings and other employment benefits according to proof at time  
3 of trial.

4           55. As a proximate result of the wrongful conduct of Defendants, Plaintiff has suffered  
5 humiliation, emotional distress and mental pain and anguish all to its damage in an amount according  
6 to proof at trial.  
7

8           56. In doing the acts herein alleged, Defendants acted with oppression, malice, and/or  
9 conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to punitive damages.

10                           **PRAYER FOR RELIEF**

11           WHEREFORE, Plaintiff prays for judgment against Defendants as follows:  
12

13           1. For payment of earned wages, withheld earnings, and other damages according to  
14 proof in an amount to be ascertained at trial;

15           2. For payment of all statutory obligations and penalties as required by law;

16           3. For penalties, special damages, compensatory, and general damages in an amount to  
17 be proven at trial;

18           4. For punitive damages as allowed by law;

19           5. Loss of income incurred and to be incurred according to proof;

20           6. For reasonable attorneys' fees;

21           7. For costs of suit incurred herein;

22           8. For interest provided by law;

23           9. All damages and penalties provided by law;

24           10. For restitution and other equitable relief; and

25           11. For such other and further relief as the court deems just and proper  
26  
27  
28

COMPLAINT FOR DAMAGES

1 Dated: December 5, 2024

By: LAW OFFICE OF MICHAEL FREIMAN

2 /s/ Michael Freiman, Esq.

3 Michael Freiman, Esq.

4 Attorney for Plaintiff Drew Barile

5  
6 **DEMAND FOR JURY TRIAL**

7  
8 Plaintiff Drew Barile demands a jury trial.

9 Dated: December 5, 2024

By: LAW OFFICE OF MICHAEL FREIMAN

10 /s/ Michael Freiman, Esq.

11 Michael Freiman, Esq.

12 Attorney for Plaintiff Drew Barile

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COMPLAINT FOR DAMAGES

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Michael Freiman, Esq. (SBN 280716)</b> <b>100 Wilshire Blvd. Ste 700, Santa Monica, CA 90401</b>		<b>FOR COURT USE ONLY</b>  <b>Electronically FILED by</b> <b>Superior Court of California,</b> <b>County of Los Angeles</b> <b>12/05/2024 6:42 PM</b> <b>David W. Slayton,</b> <b>Executive Officer/Clerk of Court,</b> <b>By A. Munoz, Deputy Clerk</b>	
TELEPHONE NO.: <b>310-917-1022</b> FAX NO.: EMAIL ADDRESS: <b>mike@employlegal.com</b> ATTORNEY FOR (Name): <b>Drew Barile</b>			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: <b>111 North Hill Street</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Los Angeles 90012</b> BRANCH NAME: <b>Stanley Mosk</b>			
CASE NAME: <b>DREW BARILE V LABORATORY CORPORATION OF AMERICA</b>			
<b>CIVIL CASE COVER SHEET</b> <input checked="" type="checkbox"/> <b>Unlimited</b> (Amount demanded exceeds \$35,000) <input type="checkbox"/> <b>Limited</b> (Amount demanded is \$35,000 or less)		<b>Complex Case Designation</b> <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER: <b>24STCV32110</b>  JUDGE: DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<b>Auto Tort</b> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) <b>Non-PI/PD/WD (Other) Tort</b> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) <b>Employment</b> <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<b>Contract</b> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <b>Real Property</b> <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (28) <b>Unlawful Detainer</b> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <b>Judicial Review</b> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)</b> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <b>Enforcement of Judgment</b> <input type="checkbox"/> Enforcement of judgment (20) <b>Miscellaneous Civil Complaint</b> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <b>Miscellaneous Civil Petition</b> <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- |  |  |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties   | d. <input type="checkbox"/> Large number of witnesses  |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence   | f. <input type="checkbox"/> Substantial postjudgment judicial supervision  |
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 9
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)
- Date: December 5, 2024  
 Michael Freiman, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

<b>NOTICE</b>	
• Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions. • File this cover sheet in addition to any cover sheet required by local court rule. • If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding. • Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.	

Page 1 of 2



**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET****CM-010**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action.

To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**CASE TYPES AND EXAMPLES****Auto Tort**

Auto (22)—Personal Injury/Property Damage/Wrongful Death  
Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

Asbestos (04)  
Asbestos Property Damage  
Asbestos Personal Injury/Wrongful Death  
Product Liability *(not asbestos or toxic/environmental)* (24)  
Medical Malpractice (45)  
Medical Malpractice—  
Physicians & Surgeons  
Other Professional Health Care Malpractice  
Other PI/PD/WD (23)  
Premises Liability (e.g., slip and fall)  
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)  
Intentional Infliction of Emotional Distress  
Negligent Infliction of Emotional Distress  
Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

Business Tort/Unfair Business Practice (07)  
Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)  
Defamation (e.g., slander, libel) (13)  
Fraud (16)  
Intellectual Property (19)  
Professional Negligence (25)  
Legal Malpractice  
Other Professional Malpractice *(not medical or legal)*  
Other Non-PI/PD/WD Tort (35)

**Employment**

Wrongful Termination (36)  
Other Employment (15)

**Contract**

Breach of Contract/Warranty (06)  
Breach of Rental/Lease  
Contract *(not unlawful detainer or wrongful eviction)*  
Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*  
Negligent Breach of Contract/Warranty  
Other Breach of Contract/Warranty  
Collections (e.g., money owed, open book accounts) (09)  
Collection Case—Seller Plaintiff  
Other Promissory Note/Collections Case  
Insurance Coverage *(not provisionally complex)* (18)  
Auto Subrogation  
Other Coverage  
Other Contract (37)  
Contractual Fraud  
Other Contract Dispute

**Real Property**

Eminent Domain/Inverse Condemnation (14)  
Wrongful Eviction (33)  
Other Real Property (e.g., quiet title) (26)  
Writ of Possession of Real Property  
Mortgage Foreclosure  
Quiet Title  
Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

**Unlawful Detainer**

Commercial (31)  
Residential (32)  
Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

**Judicial Review**

Asset Forfeiture (05)  
Petition Re: Arbitration Award (11)  
Writ of Mandate (02)  
Writ—Administrative Mandamus  
Writ—Mandamus on Limited Court Case Matter  
Writ—Other Limited Court Case Review  
Other Judicial Review (39)  
Review of Health Officer Order  
Notice of Appeal—Labor Commissioner Appeals

**Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**

Antitrust/Trade Regulation (03)  
Construction Defect (10)  
Claims Involving Mass Tort (40)  
Securities Litigation (28)  
Environmental/Toxic Tort (30)  
Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

**Enforcement of Judgment**

Enforcement of Judgment (20)  
Abstract of Judgment (Out of County)  
Confession of Judgment *(non-domestic relations)*  
Sister State Judgment  
Administrative Agency Award *(not unpaid taxes)*  
Petition/Certification of Entry of Judgment on Unpaid Taxes  
Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

RICO (27)  
Other Complaint *(not specified above)* (42)  
Declaratory Relief Only  
Injunctive Relief Only *(non-harassment)*  
Mechanics Lien  
Other Commercial Complaint Case *(non-tort/non-complex)*  
Other Civil Complaint *(non-tort/non-complex)*

**Miscellaneous Civil Petition**

Partnership and Corporate Governance (21)  
Other Petition *(not specified above)* (43)  
Civil Harassment  
Workplace Violence  
Elder/Dependent Adult Abuse  
Election Contest  
Petition for Name Change  
Petition for Relief From Late Claim  
Other Civil Petition



SHORT TITLE DREW BARILE V LABORATORY CORPORATION OF AMERICA	CASE NUMBER 24STCV32110
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**CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION****(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

**This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court**

**Step 1:** After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

**Step 2:** In Column B, check the box for the type of action that best describes the nature of the case.

**Step 3:** In Column C, circle the number which explains the reason for the court filing location you have chosen.

**Applicable Reasons for Choosing Courthouse Location (Column C)**

1. Class Actions must be filed in the Stanley Mosk Courthouse, Central District.	7. Location where petitioner resides.
2. Permissive filing in Central District.	8. Location wherein defendant/respondent functions wholly.
3. Location where cause of action arose.	9. Location where one or more of the parties reside.
4. Location where bodily injury, death or damage occurred.	10. Location of Labor Commissioner Office.
5. Location where performance required, or defendant resides.	11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection).
6. Location of property or permanently garaged vehicle.	

	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
<b>Auto Tort</b>	Auto (22)	<input type="checkbox"/> 2201 Motor Vehicle – Personal Injury/Property Damage/Wrongful Death	1, 4
	Uninsured Motorist (46)	<input type="checkbox"/> 4601 Uninsured Motorist – Personal Injury/Property Damage/Wrongful Death	1, 4
<b>Other Personal Injury/Property Damage/Wrongful Death</b>	Other Personal Injury/Property Damage/Wrongful Death (23)	<input type="checkbox"/> 2301 Premise Liability (e.g., dangerous conditions of property, slip/trip and fall, dog attack, etc.)	1, 4
		<input type="checkbox"/> 2302 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, battery, vandalism, etc.)	1, 4
		<input type="checkbox"/> 2303 Intentional Infliction of Emotional Distress	1, 4
		<input type="checkbox"/> 2304 Other Personal Injury/Property Damage/Wrongful Death	1, 4
		<input type="checkbox"/> 2305 Elder/Dependent Adult Abuse/Claims Against Skilled Nursing Facility	1, 4
		<input type="checkbox"/> 2306 Intentional Conduct – Sexual Abuse Case (in any form)	1, 4

SHORT TITLE DREW BARILE V LABORATORY CORPORATION OF AMERICA	CASE NUMBER
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
Other Personal Injury/ Property Damage/ Wrongful Death		<input type="checkbox"/> 2307 Construction Accidents	1, 4
		<input type="checkbox"/> 2308 Landlord – Tenant Habitability (e.g., bed bugs, mold, etc.)	1, 4
	Product Liability (24)	<input type="checkbox"/> 2401 Product Liability (not asbestos or toxic/ environmental)	1, 4
		<input type="checkbox"/> 2402 Product Liability – Song-Beverly Consumer Warranty Act (CA Civil Code §§1790-1795.8) (Lemon Law)	1, 3, 5
	Medical Malpractice (45)	<input type="checkbox"/> 4501 Medical Malpractice – Physicians & Surgeons	1, 4
		<input type="checkbox"/> 4502 Other Professional Health Care Malpractice	1, 4
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> 0701 Other Commercial/Business Tort (not fraud or breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> 0801 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> 1301 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> 1601 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> 2501 Legal Malpractice	1, 2, 3
		<input type="checkbox"/> 2502 Other Professional Malpractice (not medical or legal)	1, 2, 3
	Other (35)	<input type="checkbox"/> 3501 Other Non-Personal Injury/Property Damage Tort	1, 2, 3
Employment	Wrongful Termination (36)	<input checked="" type="checkbox"/> 3601 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> 1501 Other Employment Complaint Case	1, 2, 3
		<input type="checkbox"/> 1502 Labor Commissioner Appeals	10
Contract	Breach of Contract / Warranty (06) (not insurance)	<input type="checkbox"/> 0601 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		<input type="checkbox"/> 0602 Contract/Warranty Breach – Seller Plaintiff (no fraud/negligence)	2, 5
		<input type="checkbox"/> 0603 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		<input type="checkbox"/> 0604 Other Breach of Contract/Warranty (no fraud/ negligence)	1, 2, 5
		<input type="checkbox"/> 0605 Breach of Rental/Lease Contract (COVID-19 Rental Debt)	2, 5
	Collections (09)	<input type="checkbox"/> 0901 Collections Case – Seller Plaintiff	5, 6, 11
		<input type="checkbox"/> 0902 Other Promissory Note/Collections Case	5, 11
		<input type="checkbox"/> 0903 Collections Case – Purchased Debt (charged off consumer debt purchased on or after January 1, 2014)	5, 6, 11
		<input type="checkbox"/> 0904 Collections Case – COVID-19 Rental Debt	5, 11
	Insurance Coverage (18)	<input type="checkbox"/> 1801 Insurance Coverage (not complex)	1, 2, 5, 8

SHORT TITLE DREW BARILE V LABORATORY CORPORATION OF AMERICA	CASE NUMBER
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
<b>Contract</b> (Continued)	Other Contract (37)	<input type="checkbox"/> 3701 Contractual Fraud	1, 2, 3, 5
		<input type="checkbox"/> 3702 Tortious Interference	1, 2, 3, 5
		<input type="checkbox"/> 3703 Other Contract Dispute (not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9
<b>Real Property</b>	Eminent Domain/ Inverse Condemnation (14)	<input type="checkbox"/> 1401 Eminent Domain/Condemnation Number of Parcels _____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> 3301 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> 2601 Mortgage Foreclosure	2, 6
		<input type="checkbox"/> 2602 Quiet Title	2, 6
		<input type="checkbox"/> 2603 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6
<b>Unlawful Detainer</b>	Unlawful Detainer – Commercial (31)	<input type="checkbox"/> 3101 Unlawful Detainer – Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Residential (32)	<input type="checkbox"/> 3201 Unlawful Detainer – Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Post Foreclosure (34)	<input type="checkbox"/> 3401 Unlawful Detainer – Post Foreclosure	2, 6, 11
	Unlawful Detainer – Drugs (38)	<input type="checkbox"/> 3801 Unlawful Detainer – Drugs	2, 6, 11
<b>Judicial Review</b>	Asset Forfeiture (05)	<input type="checkbox"/> 0501 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> 1101 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> 0201 Writ – Administrative Mandamus	2, 8
		<input type="checkbox"/> 0202 Writ – Mandamus on Limited Court Case Matter	2
		<input type="checkbox"/> 0203 Writ – Other Limited Court Case Review	2
	Other Judicial Review (39)	<input type="checkbox"/> 3901 Other Writ/Judicial Review	2, 8
		<input type="checkbox"/> 3902 Administrative Hearing	2, 8
		<input type="checkbox"/> 3903 Parking Appeal	2, 8
<b>Provisionally Complex Litigation</b>	Antitrust/Trade Regulation (03)	<input type="checkbox"/> 0301 Antitrust/Trade Regulation	1, 2, 8
	Asbestos (04)	<input type="checkbox"/> 0401 Asbestos Property Damage	1, 11
		<input type="checkbox"/> 0402 Asbestos Personal Injury/Wrongful Death	1, 11

SHORT TITLE <b>DREW BARILE V LABORATORY CORPORATION OF AMERICA</b>	CASE NUMBER
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	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
<b>Provisionally Complex Litigation (Continued)</b>	Construction Defect (10)	<input type="checkbox"/> 1001 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> 4001 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> 2801 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> 3001 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> 4101 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
<b>Enforcement of Judgment</b>	Enforcement of Judgment (20)	<input type="checkbox"/> 2001 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> 2002 Abstract of Judgment	2, 6
		<input type="checkbox"/> 2004 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> 2005 Petition/Certificate for Entry of Judgment Unpaid Tax	2, 8
		<input type="checkbox"/> 2006 Other Enforcement of Judgment Case	2, 8, 9
<b>Miscellaneous Civil Complaints</b>	RICO (27)	<input type="checkbox"/> 2701 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (not specified above) (42)	<input type="checkbox"/> 4201 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> 4202 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> 4203 Other Commercial Complaint Case (non-tort/noncomplex)	1, 2, 8
		<input type="checkbox"/> 4204 Other Civil Complaint (non-tort/non-complex)	1, 2, 8
<b>Miscellaneous Civil Petitions</b>	Partnership Corporation Governance (21)	<input type="checkbox"/> 2101 Partnership and Corporation Governance Case	2, 8
	Other Petitions (not specified above) (43)	<input type="checkbox"/> 4301 Civil Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4302 Workplace Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4303 Elder/Dependent Adult Abuse Case with Damages	2, 3, 9
		<input type="checkbox"/> 4304 Election Contest	2
		<input type="checkbox"/> 4305 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> 4306 Petition for Relief from Late Claim Law	2, 3, 8
		<input type="checkbox"/> 4307 Other Civil Petition	2, 9



SHORT TITLE DREW BARILE V LABORATORY CORPORATION OF AMERICA	CASE NUMBER
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**Step 4: Statement of Reason and Address:** Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address, which is the basis for the filing location including zip code. (No address required for class action cases.)

REASON: <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11			ADDRESS: 4301 Lost Hills Rd
CITY: Agoura Hills	STATE: CA	ZIP CODE: 91301	

**Step 5: Certification of Assignment:** I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code of Civ. Proc., 392 et seq., and LASC Local Rule 2.3(a)(1)(E)]

Dated: 12/05/2024

*Michael J. Freiman*

(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form LASC CIV 109 (01/23).
5. Payment in full of the filing fee, unless there is a court order for waiver, partial or schedule payments.
6. A signed order appointing a Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court to issue a Summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the Summons and Complaint, or other initiating pleading in the case.

<b>SUPERIOR COURT OF CALIFORNIA</b> <b>COUNTY OF LOS ANGELES</b>		Reserved for Clerk's File Stamp  <b>FILED</b> Superior Court of California County of Los Angeles <b>12/05/2024</b> David W. Slayton, Executive Officer / Clerk of Court By: <u>A. Munoz</u> Deputy
COURTHOUSE ADDRESS: Stanley Mosk Courthouse 111 North Hill Street, Los Angeles, CA 90012		
<b>NOTICE OF CASE ASSIGNMENT</b>  <b>UNLIMITED CIVIL CASE</b>		
Your case is assigned for all purposes to the judicial officer indicated below.		CASE NUMBER: <b>24STCV32110</b>

**THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT**

	ASSIGNED JUDGE	DEPT	ROOM		ASSIGNED JUDGE	DEPT	ROOM
✓	Michael Shultz	40					

Given to the Plaintiff/Cross-Complainant/Attorney of Record David W. Slayton, Executive Officer / Clerk of Court  
 on 12/06/2024 (Date) By A. Munoz, Deputy Clerk

### **INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES**

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

#### **APPLICATION**

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

#### **PRIORITY OVER OTHER RULES**

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

#### **CHALLENGE TO ASSIGNED JUDGE**

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

#### **TIME STANDARDS**

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

#### **COMPLAINTS**

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

#### **CROSS-COMPLAINTS**

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

#### **STATUS CONFERENCE**

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

#### **FINAL STATUS CONFERENCE**

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

#### **SANCTIONS**

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

**This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.**

#### **Class Actions**

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

#### **\*Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.





## Superior Court of California, County of Los Angeles

### ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.

CROSS-COMPLAINANTS must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

#### What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

#### Advantages of ADR

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees, and witness fees.
- **Keeps Control** (with the parties): Parties choose their ADR process and provider for voluntary ADR.
- **Reduces Stress/Protects Privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

#### Disadvantages of ADR

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial:** ADR does not provide a public trial or decision by a judge or jury.

#### Main Types of ADR

1. **Negotiation:** Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
2. **Mediation:** In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

#### **Mediation may be appropriate when the parties**

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

#### **Mediation may not be appropriate when the parties**

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

## How to Arrange Mediation in Los Angeles County

Mediation for **civil cases** is voluntary and parties may select any mediator they wish. Options include:

a. **The Civil Mediation Vendor Resource List**

If all parties in an active civil case agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases).

- **ADR Services, Inc.** Assistant Case Manager Janet Solis, [janet@adrservices.com](mailto:janet@adrservices.com)  
(213) 683-1600
- **Mediation Center of Los Angeles** Program Manager [info@mediationLA.org](mailto:info@mediationLA.org)  
(833) 476-9145

**These organizations cannot accept every case and they may decline cases at their discretion.** They may offer online mediation by video conference for cases they accept. Before contacting these organizations, review important information and FAQs at [www.lacourt.org/ADR.Res.List](http://www.lacourt.org/ADR.Res.List)

**NOTE: The Civil Mediation Vendor Resource List program does not accept family law, probate, or small claims cases.**

- b. **Los Angeles County Dispute Resolution Programs.** Los Angeles County-funded agencies provide mediation services on the day of hearings in small claims, unlawful detainer (eviction), civil harassment, and limited civil (collections and non-collection) cases.  
<https://dcba.lacounty.gov/countywidedrp/>

**Online Dispute Resolution (ODR).** Parties in small claims and unlawful detainer (eviction) cases should carefully review the Notice and other information they may receive about (ODR) requirements for their case. <https://my.lacourt.org/odr/>

- c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.

3. **Arbitration:** Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <https://www.courts.ca.gov/programs-adr.htm>

4. **Mandatory Settlement Conferences (MSC):** MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit <https://www.lacourt.org/division/civil/CI0047.aspx>

Los Angeles Superior Court ADR website: <https://www.lacourt.org/division/civil/CI0109.aspx>  
For general information and videos about ADR, visit <http://www.courts.ca.gov/programs-adr.htm>